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ILLINOIS UNION INSURANCE COMPANY

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

11 INTUITIVE SURGICAL, INC., a Delaware
12 corporation,

13 Plaintiff,

14 v.

15 ILLINOIS UNION INSURANCE COMPANY, an
16 Illinois corporation; NAVIGATORS SPECIALTY
INSURANCE CO., a Delaware corporation,

17 Defendants.

CASE NO.: 3:15-cv-04834-JST

**STIPULATED REQUEST FOR
DISMISSAL OF INTUITIVE
SURGICAL, INC.'S COMPLAINT
AGAINST ILLINOIS UNION
INSURANCE COMPANY WITH
PREJUDICE**

Complaint Filed: October 20, 2015

Hon. Jon S. Tigar

Plaintiff Intuitive Surgical, Inc. (“Intuitive”) and Defendant Illinois Union Insurance Company (“Illinois Union”) respectfully submit this stipulated request for dismissal of Intuitive’s Complaint For Breach Of Contract and Bad Faith (“Complaint”) against Illinois Union with prejudice and state as follows:

The parties entered into a settlement agreement that completely resolves the litigation between them. Pursuant to the settlement agreement, the parties agreed to dismiss Intuitive’s Complaint with prejudice. Each Party shall bear its own attorneys’ fees and costs in this action.

The parties therefore request that the Court enter the [Proposed] Order submitted herewith dismissing Intuitive’s Complaint against Illinois Union in Case No. 3:15-cv-04834-JST with prejudice.

Dated: June 13, 2017

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

/s/ Allen Ruby

Allen Ruby
Attorneys for Intuitive Surgical, Inc.

Dated: June 13, 2017

COZEN O’CONNOR

/s/ Thomas M. Jones

Thomas M. Jones
Attorneys For Illinois Union Insurance Company

Pursuant to Civil Local Rule 5-1(i), the filer attests that concurrence in the filing of this document has been obtained from the signatories above.

Dated: June 13, 2017

/s/ Thomas M. Jones

Thomas M. Jones